

REMARKS

Claims 122-165 and 174-181 are pending, with claims 122, 157, 174 and 179 being independent. Claims 174-178 have been previously withdrawn; claims 122 and 157 have been amended; and claims 137-139 have been rewritten as new claims 179-181. Support for the amendment to claims 122 and 157 may be found in the application at least at page 22, lines 5-13 and Fig. 6. No new matter has been added.

Applicants acknowledge with appreciation the Examiner's indication that claims 137-139 are directed to allowable subject matter. Applicants have rewritten claim 137 in independent form as new claim 179 and have rewritten claims 138 and 139 as new claims 180 and 181, which depend from new claim 179. Accordingly, applicants request allowance of new claims 179-181.

Independent claims 122 and 157, along with their dependent claims 123, 125-129, 132, 134-136, 140, 143-146, 153-156 and 158-165, have been rejected under 35 U.S.C. § 103(a) as being obvious over Near (U.S. Patent No. 5,995,091). Independent claim 122 relates to a method of streaming multimedia objects encapsulated into a multimedia document and recites, among other things, receiving author specification of multimedia content and choreography information that indicates a temporal order for rendering the multimedia content. The multimedia content is defined by at least a first, a second, and a third multimedia object, and the choreography information includes a relative sequence specified by the author for rendering the first, second, and third multimedia objects, the relative sequence indicating that the first and second multimedia objects be rendered progressively together over a common time period and the third multimedia object be rendered subsequent to the rendering of the first and second multimedia objects. Data slices of the first and second multimedia objects are interleaved with each other and the interleaved data slices are added to a multimedia document. Data slices of the third multimedia object are added to the multimedia document without interleaving the data slices of the third multimedia object with data slices of other objects in the multimedia document. The multimedia document is streamed to a recipient for rendering according to the choreography information, such that the data slices of the first and second multimedia objects are progressively rendered together during the common time period before all data slices of the first

and second multimedia objects are received and the data slices of the third multimedia object are progressively rendered after the rendering of the first and second multimedia objects and only after a sufficient amount of the data slices of the third multimedia object are received to enable rendering of the third multimedia object. Applicants request reconsideration and withdrawal of the rejection of claim 122, and its dependent claims, because Near fails to describe or suggest receiving author specification of choreography information that includes a specification of a relative sequence for presentation of multimedia objects which indicates that two multimedia objects be rendered progressively together over a common time period as the multimedia document stream is received prior to the rendering of a third multimedia object received in the stream.

Near describes a system for streaming multimedia data that includes an authoring tool that may be used by a user to build a presentation script for presenting images and/or sounds. The authoring tool of Near contemplates two types of sounds/images in a presentation – (1) a sound/image for which the user has specified an absolute time for playback; and (2) a sound/image for which the user has not specified an absolute time for playback. See col. 7, lines 37-49. For the former, the system determines if playback of the sound/image is possible at the user-specified absolute time within the bandwidth specified by the user by determining the loading time for the sound/image taking into account the available buffer space of the playback system. If there is sufficient time to load the sound/image for playback at the specified time, the authoring tool permits the specified image and/or data to be interleaved for playback as necessary. See col. 7, line 50 to col. 8, line 4. If not, the author is informed of the delayed time at which playback can occur. See col. 8, lines 4-12. For sounds and/or images for which the user has not specified an absolute time for playback, the system merely interleaves the sounds and/or image for playback at indeterminate default times. See col. 7, lines 45-49.

Notably, Near does not describe or suggest that the authoring tool allows the user to specify a relative order for presentation of multimedia objects which includes a specification that two multimedia objects be progressively rendered together over a common time period as the playback stream is received by the playback system prior to the rendering of a third multimedia

object received in the stream. Rather, the user is limited to either choosing an absolute time for playing back a sound and/or image or not choosing a time for playing back the sound and/or image, thereby resulting in the playback of the corresponding sound and/or image occurring at an indeterminate default time. Near provides no description or suggestion that the user is able to specify a relative order for rendering multimedia objects that includes two multimedia objects being rendered progressively together over a common time period by a recipient system as their data portions are received by the recipient system prior to the rendering of a third multimedia object by the recipient system.

For at least this reason, applicants request reconsideration and withdrawal of the rejection of claim 122 and its dependent claims.

Independent claim 157 relates to a computer implemented device that includes instructions for performing the method recited by claim 122. Accordingly, for at least the reasons discussed above with respect to claim 122, independent claim 157, and its dependent claims 158-165, are patentable over Near.

Previously presented claims 131, 133, 141, 142, 147-152, which depend from claim 122, have been rejected, under 35 U.S.C. § 103(a), as being obvious over Near in view of one of Cave (U.S. Patent No. 5,943,046), Shaw et al., Microsoft Office 6-in-1, Johnson (U.S. Patent No. 5,892,847), and Caire (U.S. Patent No. 5,663,962). Cave, Shaw, Johnson, and Caire do not cure any of the deficiencies discussed above with respect to Near. Accordingly, claims 131, 133, 141, 142, 147, 148, and 149-152 are patentable over Near, Shaw, Johnson, and Caire.

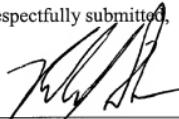
Applicants respectfully request allowance of all claims. Applicants do not acquiesce to the characterizations of the art in the Office Action. For brevity and to advance prosecution, however, applicants have not addressed all characterizations of the art, but reserve the right to do so in further prosecution of this or a subsequent application.

Applicant : David Corboy  
Serial No. : 08/866,857  
Filed : May 30, 1997  
Page : 16 of 16

Attorney's Docket No.: 06975-124001 / Multimedia 15

It is believed there are no fees due at this time. However, if fees are deemed appropriate, the Examiner is authorized to apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

  
\_\_\_\_\_  
Roberto J. Devoto  
Reg. No. 55,108

Date: February 16, 2007

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

40399702.doc